DOCUMENT RESUME

ED 249 627 EA 017 193

AUTHOR Hill, Richard
TITLE Area Service Agencies for North Dakota Schools?
INSTITUTION North Dakota Univ., Grand Forks. Bureau of Educational Research and Services.
PUB DATE Mar 84
NOTE 45p.
PUB TYPE Reports - Evaluative/Feasibility (142)

EDRS PRICE MF01/PC02 Plus Postage.
DESCRIPTORS *Education Service Centers; Elementary Secondary Education; *School District Reorganization; School Districts; State School District Relationship; *Superintendents
IDENTIFIERS *North Dakota

ABSTRACT

Area service agencies have been structured in many states to enhance service while preserving local school districts. A variety of patterns of cooperation have developed. In North Dakota a study team considered issues, based on the organizational and financial characteristics of existing area service agencies, about the organization of the proposed state service district. A series of recommendations were made for a district financed both by state appropriations and local contracts and performing state functions while responding to local needs. Among the remaining issues and questions considered are the appropriate number of agencies, whether the agencies should have taxing authority, what tasks properly remain at the county level, and problems of transition that include discontinuing the county superintendency in 1989. The appendixes contain an outline of recommendations and a table illustrating the percentage of superintendents interested in various services. (MLF)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

EA

ED249627

Area Service Agencies For North Dakota Schools?

Richard Hill

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

This document has been reproduced as received from the person or organization originating it.

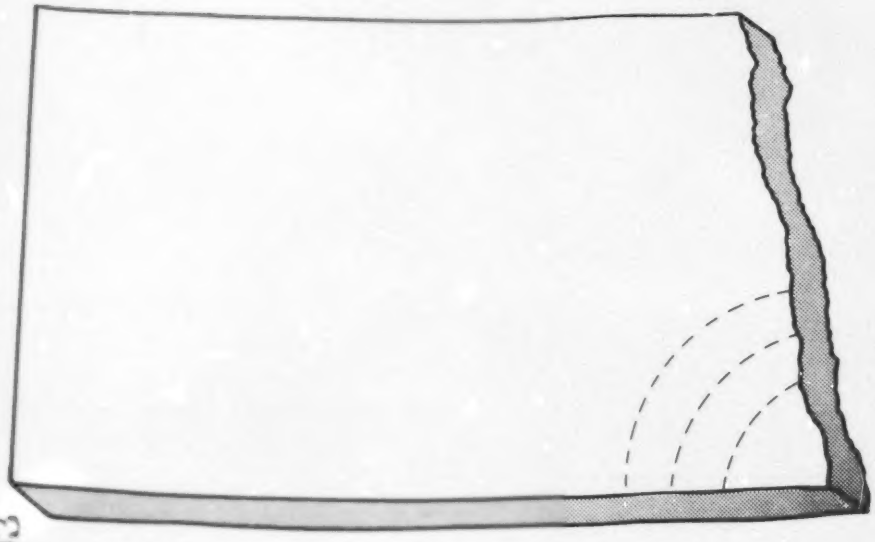
Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

"PERMISSION TO REPRODUCE THIS MATERIAL HAS BEEN GRANTED BY

Richard Hill

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)."



EA 017 193

AREA SERVICE AGENCIES FOR NORTH DAKOTA SCHOOLS?

Richard Hill

Bureau of Educational Research and Services
P.O. Box 8158
University of North Dakota
Grand Forks, N. D. 58202

March
1984

TABLE OF CONTENTS

Acknowledgements v

Foreword vii

Definition & Illustration 1

The North Dakota Proposal 6

Chronology 11

Remaining Issues and Questions 22

Appendices

Appendix A. Outline of Recommendations to Interim Education Committee B of the North Dakota Legislative Council in the Matter of Consideration of the Creation of Area Service Agencies for Elementary and Secondary Schools 29

Appendix B. Percentage of North Dakota Superintendents Responding "Probably Would" Be Interested in Various Services Analyzed by School Size . 37

References 39

LIST OF TABLES

1. 1982-83 Common ECSU Programs and Surveys Summary . 3

2. Percentage of North Dakota Superintendents Responding "Probably Would" Be Interested in Various Services Analyzed by School Size 17

LIST OF FIGURES

1. Proposed Structure for Area Service Agencies in North Dakota 8

ACKNOWLEDGEMENTS

The writer is indebted to many individuals and groups for assistance and encouragement:

--to legislators for listening, debating, supporting, and probing (most especially the writer should note the continuing interest of Education Committee "B" and the assistance of its chairperson, Irven Jacobson)

--to the legislative council (the council reimbursed travel expenses and staff member Merle Peterson evidenced patience and persistence in translating recommendations to draft legislation)

--to the Department of Public Instruction (Assistant Superintendent Ronald Stastney provided general coordination for the project; Ronald Torgeson and Gary Gronberg, members of the study team, offered valuable advice)

--to Mid Continent Regional Educational Laboratory (McRel) (McRel provided financial support at critical junctures--for the study of the county superintendent and for a study team visit to agency sites in other states; also the writer must acknowledge the extensive involvement and wise counsel of Paul Nachtigal in the conceptual activity relating to the project)

--to County Superintendents for cooperation in the many study activities (most especially the writer should thank Robert Abrahamson the president of their Association and a member of the study team)

--to colleagues, Elizabeth Myers, Mary Underwood, and Dennis Zuelke who assisted on some element of the project and to the Bureau of Educational Research and Services for technical assistance

--to the out of state resource persons, Dale Jenson from Iowa; Ludwig Peterson and Rollie Solberg from Wisconsin; Glen Shaw, Fred Rhode, and Lowell Tornquist from Minnesota; and Walt Turner from Washington, D.C. (unnamed, but not unappreciated, are the scores of school superintendents, principals, and teachers; special education directors; area service agency employees; and state education department personnel who assisted the study team)...

inadequately, but sincerely, thanks.

FOREWORD

The formation of educational service agencies and the concept which it promotes couldn't be more appropriate than at the present for North Dakota schools to explore. With the Excellence Report, Carnegie Report and many others, it is appropriate that all states look to see how their educational systems may be improved to meet the educational needs of their students.

One way, certainly, is by using the concept of educational service agencies but educational service agencies in themselves are not the total solution. Obviously, the state department, the local educational system and the parents of all children must be interested in fulfilling the promise of all students in order to utilize educational service agencies.

There are approximately thirty states that have a system of educational service agencies. These vary from the very sophisticated types of networks that you will find in states such as Texas, Pennsylvania, New York, Iowa, Michigan, Oregon and Washington, down to very rudimentary cooperation between two or more districts within any given state. Educational service agencies promote the concept of local control and make it possible for many school districts to provide the services and programs that would otherwise not be available to them.

If implemented properly, in North Dakota, this concept could enhance the efficiency and effectiveness of its school system.

For instance, such programs as special education for the handicapped, enrichment programs for the gifted, any programs where teachers may share their expertise such as math and science, and other areas where talents and teachers are limited.

Another area where educational service agencies help is in the management of the school system. In utilizing such programs as cooperative purchasing, cooperative bus programs, insurance programs, and food programs systems can save many dollars.

We are pleased to see that the state of North Dakota is looking at ways of equalizing the opportunities of all students and providing the essential ingredients for maximum educational opportunities.

Walter G. Turner
Executive Director
American Association of
Educational Service Agencies
Arlington, Virginia

DEFINITION AND ILLUSTRATION

Following World War II many school districts were reorganized into larger units. Stephens (1979a; p.1) estimates that the number of school districts in the United States decreased from approximately 106,000 in 1948 to 17,237 in 1971. This activity occurred for many reasons. A central theme of the change, however, related to the belief that larger school units enrolling greater numbers of students could provide more educational services, more economically, and with greater continuity.

Reorganization has slowed. Distance--and consequent travel time--between remaining units argues against the "solution" of reorganization. Preference for services "close to home" exists. And some wonder whether "quality of service" is really enhanced by size particularly when size is achieved at considerable cost and inconvenience (Sher 1977).

Area service agencies have been structured in many states to attempt, simultaneously, to enhance services while preserving local districts. This is accomplished by arranging cooperation among districts. A variety of patterns of cooperation have developed:

> The decentralized SEA pattern, through establishment of regional branches of the state agency. This pattern is supported by the view that ESAs should be established as arms of the state to deliver services for the state to LEAs.
>
> The cooperative pattern, through sponsorship by 2 or more local education agencies, of single or multipurpose shared services. This pattern is supported by the view that ESAs should be established by consortia of LEAs to provide services exclusively to members of the consortia.

> The special district patterns, through designation of a legally constituted unit of school government between the state education agency and a collection of local education agencies. This form of ESA is supported by the view that ESAs (education service agencies) should be established by the state, or the state and LEAs (local education agencies) acting in concert, to provide service to both the SEA and constituent local districts (Stephens 1979a, p.2).

Categorization masks differences within the categories; nevertheless, the three patterns permit observations about distinctions among the categories. The first pattern is a creature of the state, supported by the state. The form regionalizes state services and frequently permits adding services desired in a region.

The second pattern is a creature of local districts, funded by local districts. This pattern evolves when two or more districts see some value in cooperation and enter formal or informal agreements to secure a service for their mutual benefit.

The third pattern is really a hybrid of the other two--financed both by state appropriations and local contracts and performing state functions while responding to local needs and preferences.

This hybrid "special district pattern" has been proposed for North Dakota. Certain state functions, presently served by the county superintendent, would be assigned to the area service agencies; certain services, elected and paid for by local districts, would be performed by the area service agency.

Data management--report origination and transmission, acting on appeals about student placement decisions, and provision of an intermediate hearing agency service in the matter of annexations

are examples of assigned state functions.

The services elected by local education agencies are more difficult to predict. The services preferred in one agency may not be preferred in another. The services needed in one area may be arranged satisfactorily in another area already. The services provided would be decided by a board representing the school boards in the area served.

Nevertheless, experience in other states suggests that many services are common across units. Minnesota, for instance, has nine ECSUs (Educational Cooperative Service Units) formed from eleven planning regions--Table 1 illustrates services that are provided by many of the individual units.

Table 1
1982-83 COMMON ECSU PROGRAMS AND SERVICES SUMMARY

Programs and Services	Geographic Area and Planning Unit								
	NW 1+2	NE 3	WC 4	NC 5	SW+WC 6+8	C 7	SC 9	SE 10	M 11
A-V Equipment Repair	X		X	X	X		X	X	
A-V Equipment Loan					X		X	X	
Basic Skills		X	X	X	X	X	X	X	X
Bell Telephone Programs	X	X	X	X	X	X	X	X	X
Career Education	X	X	X	X	X	X	X	X	X
Comprehensive Planning & PER Tech. Assistance	X	X	X	X	X	X	X	X	X
Cooperative Purchasing	X	X	X	X	X		X	X	
Curriculum Development	X	X	X	X	X	X	X	X	X
Film Loan	X	X	X	X	X		X	X	
Liaison Services with State Dept. of Educ.	X	X	X	X	X	X	X	X	X
Liaison Services with State Legislature	X	X	X	X	X	X	X	X	X
Management Information (MECC, MIS, UFARS)	X		X		X	X	X		X
Minnesota Career Information System (MCIS)	X	X	X			X	X		
Proposal Development		X	X	X	X	X	X	X	X
Regional Newsletter	X	X	X	X	X	X	X	X	X
Special Education	X	X	X		X	X	X	X	X
Staff Development	X	X	X	X	X	X	X	X	X
Starlab Planetarium	X	X	X	X			X	X	

(Minnesota Educational Service Units 1982-83 1982, p.43)

In addition to these common services the ECSUs provide services which are unique to the individual unit (fifty nine different services were provided by the nine units) (Minnesota Educational Service Units 1982-83 1982, pp.43-50). Ten services were selected to illustrate the range of activity: promoting opportunities in science by employing a consultant and by arranging teacher and student activity, providing band instrument repair, developing microcomputer software for gifted programs, maintaining a teacher center, sharing a driving simulator, employing itinerant foreign language teachers, coordinating a reading enrichment program, performing special education low incidence studies, providing printing services, and developing an "insurance group" to permit volume buying.

Another illustration: the Northern Trails Area Education Agency located at Clear Lake, Iowa, serves twenty eight public school districts and ten private schools; it provides services for 2100 teachers, 120 administrators, 201 school board members, and 27,000 students in a nine county area of 3621 square miles.

The services provided include:

> educational services: computer services, cooperative purchasing, research and evaluation, inservice/courses and workshops, instructional consultants, talented and gifted programs, career education
>
> media services: curriculum laboratory, delivery services, film library, main library, media consultation, media services, production services, professional library
>
> special education: clinical speech services, diagnostic and consulting services in learning disabilities, emotional disabilities, mental retardation, early childhood program, hearing conservation and education, occupational therapy, physical therapy, school psychological services, school social work, special education media assistance, vision conservation and education, vocational rehabilitation, homebound/hospital instruction (Northern

Trails Area Educational Agency n.d., brochure).

In Iowa, it should be noted, all special education services are coordinated through area service agencies; this arrangement has not been proposed for North Dakota.

What services would North Dakota Area Service Agencies provide? They would provide services needed in the area. Defining what was needed would occur by deliberation and decision of an elected board. Local districts would pay for the services provided by "contracting" with the service agency.

Thus the specific services cannot be predicted with certainty. A survey, to be discussed later, provides some hints regarding services likely to be desired and services unlikely to be selected. The area service agency pattern proposed for North Dakota embraces a process for determining services but does not specify the services to be provided. Those decisions would occur at the agency and local levels.

THE NORTH DAKOTA PROPOSAL

Stephens (1975, 1979b) studied and described the "organizational characteristics" and the "financial characteristics" of existing area service agencies. He found considerable variation among states. The states had made different decisions regarding what those characteristics should be.

By identifying the characteristics, however, Stephens provided the valuable service of enumerating the decisions which legislators needed to make. He provided an agenda for the enquiry a study team conducted prior to legislative deliberation.

The decisions required about organization included, in paraphrased form:

> Whether there should be minimum or maximum enrollment sizes specified in legislation
>
> Whether line association with the state education agency should exist
>
> Whether regulatory or administrative functions for the state education agency should be performed
>
> Whether all local districts should be required to be members of the education service agencies
>
> What method should be employed in the selection of a governing board
>
> How many members should the governing board have
>
> How should the chief administrator be selected
>
> Whether statutorily designated advisory committees from local districts should be required
>
> (Stephens 1975, p.33).

The decisions required about finance included, again in paraphrased form:

Whether agencies should possess taxing authority

Whether agencies should receive direct state appropriations

Whether agencies should be permitted to enter into service contracts with constituent local districts

Whether agencies should be eligible to receive federal grants

Whether agencies should possess authority to hold title to real property

Whether there should exist statutorily required budget review by constituent local districts

(Stephens 1975, p.34).

A study team, employing a process described in the next section, considered each issue. The product of that effort, "Outline of Recommendations to Interim Education Committee B in the Matter of Consideration of the Creation of Area Service Agencies for Elementary and Secondary Schools" (Hill 1983), served as the basis for legislative deliberation. After some amplification and modification, the recommendation also served as the basis for a bill drafting activity by the legislative counsel.

The recommendation proposed:

- Creating "area service agencies" of a "hybrid" design (performing state department functions while, at the same time, responding to local districts' needs).
- Mandating membership for all public school districts and inviting another class of membership for private and parochial schools.
- Governing the agencies by nine member boards elected by local school district boards from "membership units" and "at large".
- Financing the agencies by a combination of state appropriations and receipts from contracts with local districts.
- Staffing the agencies with individuals appointed by the governing boards.

- Defining a relationship to the state department and providing a transition mechanism to be administered by the state department.

- Abandoning the county superintendency in the year 1989.

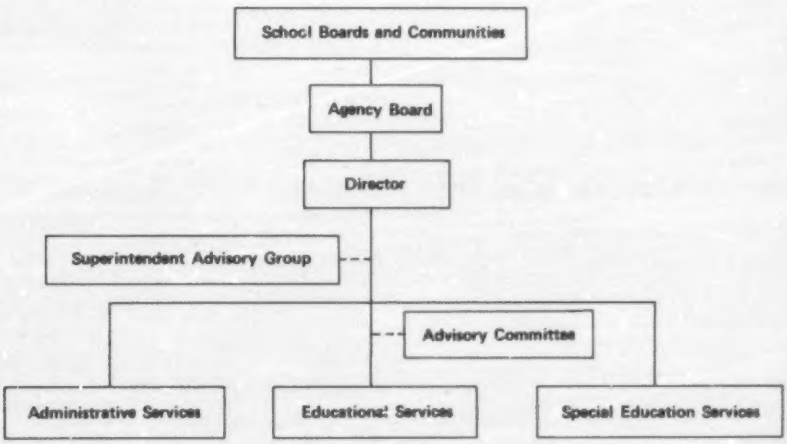
(Hill 1983, p.2).

(A copy of the entire recommendation is contained in Appendix A.)

The structure of the agencies was proposed to include agency boards nominated and elected by local school boards, employees appointed by agency boards, and structured advisory committees. Three primary service components--administrative services, educational services, and special education services--were proposed. The relationships may be seen in figure 1.

Figure 1

Proposed Structure for Area Service Agencies in North Dakota



The structure proposed includes two advisory groups. The first specifies that:

> Superintendents of schools, or a representative body thereof, provide advisory direction to the agency director in the general operation of the agency (Hill 1983, p.3).

The second proposes that:

> A group of at least nine members (which members shall be approximately equally drawn from among teachers, principals, and lay citizens) be formed to advise the director regarding the operation of the educational service component (Hill 1983, p.3).

Proposals for financing the agency included recommendations for a basic and continuing state appropriation and proceeds from contracts entered with local schools. The estimate of the initial requirement for state funding was nine dollars for each school census unit (number of children aged six through seventeen). The size of the annual state appropriation, then, would approximate $1,125,000.

Income from contracts could not be predicted. Income from this source would be a function of the volume and nature of services performed. Since services performed were to be decided and paid for locally, considerable variation in activity and cost from one agency to another could be expected.

The recommendation contained other miscellaneous and technical proposals.

The board adopts a budget in May.

The board shall ensure bonding of employees.

The director shall hold an administrative certificate.

> In positions later established, certification shall meet standards for local school districts for equivalent positions (note: the agency would be like a school district in most legal relationships).
>
> The Department [of Public Instruction] shall be responsible for initial drawing of membership districts (Hill 1983, pp.3-6).

A concept of this scope and complexity requires many decisions; no doubt some of the initial recommendations will be modified in subsequent debate.

Probably the most fiercely debated item will be about the appropriate number of agencies. Hill recommended "six to twelve agencies be created" (p.3). In testimony before Education Committee B, the Association of County Superintendents proposed "twenty to twenty-two agencies" (Legislative Council Minutes of the Education "B" Committee December 13-14, 1983, p.17). That question remains unresolved. But a process was agreed to deliberate the question.

> The specific number and configuration of the agencies should be the subject of a determination process conducted by DPI (Department of Public Instruction) and recommended to the legislature no later than 1987 (Hill 1983, p.3).

CHRONOLOGY

Change, of course, was the antecedent to examination of the role of the county superintendent and to development of the current proposal. Changes occurred in the number of one room rural and graded elementary schools, the number of school districts, the capacity to transport students, the patterns of living on the land, and the number of children on farms.

In their study "The County Superintendent in North Dakota: Analysis and Opinion", Hill and Myers (1983) reported both an instance and a consequence of change:

> The headline announced, "Ongstad ends 36 years as county superintendent" (1982). In the accompanying story in the Wells County Herald Press, reporter Tim Hill wrote:
>
> > Mildred witnessed Wells County, that once had 41 school districts with 72 one-room rural schools plus seven consolidated schools, four classified high schools, and three parochial schools, dwindle to five school districts and five schools (p.5B).
>
> Superintending seventy-two one-room schools suggests an extensive and demanding professional task. Similarly, the transition from a county with forty-one school districts to a county with five school districts requires employing processes of school district reorganizations, dissolutions, and annexations. These processes are at once tedious, exacting, and controversial. The county superintendent is a central actor in those processes. Thus, (one) can deduce that the transition required a demanding professional task.
>
> Wells County is not, of course, a perfect microcosm of North Dakota; nevertheless, a very similar transition has occurred in many North Dakota counties. The work of the North Dakota county superintendent since the 1940's has obviously changed, and changes such as those experienced in Wells County have touched every county in North Dakota (p.1).

Hill and Myers (1983) concluded:

> When one compares the role of the 1940's to the role now, the fact of change is incontrovertible. Where, in a county, all the area is a high school district, where there are relatively few students and teachers, where there are relatively few districts, where there is little remaining reorganization or annexation activity, and where an expanded (service) role has not been entered aggressively, both the quantity and nature of work argue for review (p.79).

The study had been requested by personnel at the Department of Public Instruction (DPI). They had been encouraged for some time--by county commissioners, by county superintendents themselves, by public school people, by their own awareness of changed circumstances--to examine the role of county superintendent. They recognized that a public policy question needed to be addressed: should the governance and delivery systems for elementary and secondary education in North Dakota be modified?

Working with the North Dakota Association of County Superintendents, DPI began several activities including two lines of enquiry:

> Beginning in 1978, the North Dakota Association of County Superintendents...initiated discussions which were intended to explore the roles and functions of the county superintendency--past, present, and future. Clearly the Association recognized that the times had changed and that these changes demanded revisions in role definition and functioning.
>
> To further assist the Association, two studies were commissioned. First, a survey instrument was developed and administered to 700 respondents throughout North Dakota. The results of this survey confirmed that many statutes applicable to this position needed revision and that there were many needs which could be addressed by county superintendents.
>
> Secondly, the study by Dr. Richard Hill analyzed the specific jobs and functions of the office and reached, among others, the conclusion that further study was needed. This study explored the exact nature of the

jobs being performed, described those activities, and presented base line data for future determinations of who might do which jobs best--the local district, the state office and/or the county office (A POSITION STATEMENT of the North Dakota Association of County Superintendents to the Legislative Interim "B" Committee n.d., p.1).

The Association asserted:

...[W]e recognize that more needs to be done. As you (legislators) explore the intermediate educational unit in this State...consider the following:

1. There are statutory and regulatory functions which must be performed by some agency...

2. Many elective functions are performed upon the initiation of the individual county superintendents...

3. ...[T]here are many other unmet needs of districts which should be served or which might be more efficiently and effectively served through some restructuring of the intermediate educational agency.

4. The State...will continue in its role of urging and mandating new or revised programming which it will want implemented on more than a single-district basis...

5. The Association is more and more convinced that the controlling board of the intermediate agency should be reflective of the agencies served...

6. Financially, the Association believes that the State and contracting districts must share in the costs and the county must continue its responsibility for the unique county functions.

7. The Association believes that continuing reorganization will occur and that all of us will continue to assess how we can bring greater efficiency to educational delivery systems...(A POSITION STATEMENT of the North Dakota Association of County Superintendents to the Legislative Interim "B" Committee n.d., pp.2-4).

The position paper addressed legislators. Legislative attention to the issue had been directed by House Concurrent Resolu-

tion No. 3077 (1983):

> ...Whereas, there have been great changes in the demographics of public school districts since the position of county superintendent of schools was created by the Legislative Assembly in 1890...the Legislative Council is directed to study...the position of the county superintendent of schools...
>
> Be it further resolved, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations to the Forty-ninth Legislative Assembly (pp.1-2).

Legislative deliberation commenced on June 29, 1983. In a "Background Memorandum" the Legislative Council staff wrote:

> The position of county superintendent of schools in North Dakota was established by the first Legislative Assembly in 1890. (1890 S.L., ch. 62, section 17 through 34). Reflecting the essentially rural demographic composition of the state at the time, the county superintendent was given by statute "general supervision of the public schools in his county, except those in cities which are organized under special law." The county superintendent was directed to visit each public school under his supervision at least once a year, and was required during such visits to "carefully observe the condition of the school, the mental and moral instructions given, the methods employed by the teacher in teaching, training and drill, the teachers' ability and the progress of pupils." Indicating the county superintendent's primary responsibility as a supervisor over the one-room rural school, the 1890 statute required the superintendent to "advise and direct the teacher in regard to the instruction, classification, government and discipline of the school and the course of study." The county superintendent under the 1890 statutes was also given responsibility for the apportionment of payments from the state tuition fund among various school districts within his jurisdiction.
>
> As population demographics, and most importantly, school district organization, are radically different in 1983 than they were even two decades ago, questions have arisen regarding the general role played by county superintendents of schools today (Legislative Council Background Memorandum on School District Organization, County Superintendents of Schools, Minimum High School Curriculums and Length of School Terms, Duties of Teachers, and the Effect on Students of Extracurricular Activities 1983, p.13).

The "Background Memorandum", referring to the Hill and Myers study, introduced the expanded service concept to legislators:

> The authors of the report further state that a legislative answer is required as to whether the service role of county superintendents should be expanded...they believe the service role may offer the potential for important work for county superintendents on an area basis (Legislative Council Background Memorandum on School District Organization, County Superintendents of Schools, Minimum High School Curriculums and Length of School Terms, Duties of Teachers, and the Effect on Students of Extracurricular Activities 1983, p.15).

In testimony on the same day, Hill suggested and evaluated changes which might be considered:

> In answer to a question from Representative Hill, Dr. Hill said he is aware that a number of people believe the position of county superintendent of schools should be eliminated, but he said in his view this alternative would be the least desirable. Dr. Hill said others believe there should be no substantive legislative change in the statutorily prescribed duties of superintendents. He said that, in his estimation, this would be the second least desirable alternative. He said a third option would be an expansion of the statutorily prescribed duties of county superintendents, and he said that this possibility is the one which is perhaps most popular among county superintendents themselves. Dr. Hill said that a fourth alternative would be the establishment of regional service units which would replace the existing county superintendents and would function with fewer persons as regional administrators than that number which currently serve as county superintendents. Dr. Hill said, in the latter option, a variety of possibilities exist (Legislative Council Minutes of the Education "B" Committee June 29, 1983, pp.7-8).

Legislators expressed interest in the area service concept and requested additional information. On October 3, "Hill distributed a report surveying the use of regional educational service agencies in other states (Legislative Council Minutes of

the Education "B" Committee October 3-4, 1983, p.7). He also suggested that:

> ...(B)efore making any decision on whether to implement administrative (sic) service agencies in North Dakota at least three major questions should be answered. He suggested that further work should be done to discover what services schools would actually be interested in receiving from an area agency. Second, he suggested that different options for the organization and finance of the area agencies be looked into. Third, he noted that the transition from our current system to an area service agency system would require considerable transitional efforts and research should be done to discover the best procedures for this transition (p.7).

After further deliberation the committee took the following action on October 4:

> IT WAS MOVED BY SENATOR HOLMBERG, SECONDED BY SENATOR TWETEN AND CARRIED THAT DR. RICHARD HILL AND THE COUNTY SUPERINTENDENTS ASSOCIATION BE REQUESTED TO CONTINUE THEIR RESEARCH REGARDING THE FUTURE ROLE OF COUNTY SUPERINTENDENTS AND THE FEASIBILITY OF IMPLEMENTING AN AREA SERVICE AGENCY CONCEPT IN NORTH DAKOTA (Legislative Council Minutes of the Education "B" Committee October 3-4, 1983, p.16).

The continued research took three forms. Hill and Underwood (1983) conducted a survey "Probable Use of Area Service Agency Services by Local Schools (Analyzed by Size of School Surveyed)". A study team composed of Hill, Robert Abrahamson, President of the Association of County Superintendents, Dr. Gary Gronberg, Director of Special Education, DPI, and Dr. Ronald Torgeson, Director of Evaluation and Research, DPI, visited service agencies and interviewed directors and employees of the agencies, and superintendents, special education

directors and other school personnel who were using services of the agencies. The third activity involved acquiring and reading additional published information about area service agencies.

The survey instrument informed local superintendents that "Legislators are interested in determining whether interest exists in area services to local schools". A random sample, stratified by size, was sent to fifty-nine districts. Forty-one (70%) responded in the time frame allowed for data collection (Hill and Underwood 1983, p.1).

The survey revealed considerable interest in area services and further revealed that "greatest interest...exists where the enrollment is the smallest" (Hill and Underwood 1983, p.3). Table 2 is adapted from the survey.

Table 2
PERCENTAGE OF NORTH DAKOTA SUPERINTENDENTS RESPONDING "PROBABLY WOULD"* BE INTERESTED IN VARIOUS SERVICES ANALYZED BY SCHOOL SIZE

High School Enrollment	to 74	75-149	150-549	550+
Media Services (4 questions)	50	25	32	8
Special Education Services (4 questions)	25	13	10	8
Staff Development Services (4 questions)	72	36	21	19
Curriculum Services (4 questions)	32	20	31	17
Business Services (5 questions)	25	31	18	7
Vocational Services (4 questions)	35	25	10	22
Administrative Services (4 questions)	38	25	21	3

*On the average, 24 percent of the superintendents responding indicated probable interest in the services. Another 26 percent of all superintendents responding indicated they "may or may not" be interested in the services.

An examination of the individual questions revealed very few were interested in some services while many were interested in other services. This finding confirmed the notion that services

should be arranged to accord with perceived needs of local schools. (More detail is provided in Appendix B which reports the percentage of superintendents' expressed interest in services by examining responses to individual items.)

The study team visited three area service agencies to conduct interviews and to examine financial, organizational, and programmatic detail. Sites were chosen in consultation with officials at state departments and in service agency positions in other states. Criteria for site selection included "essential rurality, inclusion of small enrollment districts, judged success in providing a range of services, and period of incumbency of the director for the agency."

Directors at each site chosen were asked to arrange details of the visit. Sites chosen included SW-WC ECSU, Marshall, Minnesota, Glen Shaw, Director; Northern Trails Area Education Agency, Clear Lake, Iowa, Dale Jenson, Director; and, the Cooperative Education Service Agency, La Crosse, Wisconsin, Rollie Solberg, Director.

Cooperation was outstanding. Assistance--in the form of providing resource people, sharing published materials and miscellaneous data, permitting and arranging interviews, and conducting tours and explaining services--was uniform and helpful. Resource persons and directors responded to study team questions; the study team was not "sold" agency programs.

The research activity which centered on acquiring and reading published materials focused on issues of finance and governance rather than on the subjects of programs and services. This concentration permitted attention to questions which required

answers before agencies could provide services. This focus permitted attention to questions which required legislative action to establish agencies. Stephens (1975, 1979a, 1979b) was especially helpful in this particular effort.

The product of the several activities was the recommendation contained in Appendix A. Hill drafted the document on November 19, 1983. In early December, individuals representing DPI, McRel, and County Superintendents met to critique the draft. A "Second Draft" incorporating agreed changes was written on December 5. This second draft became the basis for testimony to Education Committee B on December 14.

> The chairman called on Dr. Richard Hill, Department of Educational Administration, University of North Dakota. Dr. Hill distributed a prepared outline of recommendations regarding the use of area service agencies in North Dakota.... He also distributed a survey of North Dakota schools reflecting the probable use by local schools of different services which might be provided through area service agencies. This survey is on file in the Legislative Council office.
>
> Dr. Hill advised the committee that with funds provided by the Midcontinent Regional Education Laboratory he was able to get a firsthand look at how area service agencies functioned in Iowa, Minnesota, and Wisconsin. Dr. Hill briefly described how those agencies function and what services they are currently providing. Dr. Hill distributed a document showing the 1982-83 programs and services offered through the Minnesota area service agencies and also a document describing the Northern Trails Area Education Agency in Iowa. Copies of these documents are on file in the Legislative Council office (Legislative Council Minutes of the Education "B" Committee Dec. 13-14, 1983, p.16).

Testimony which raised questions about elements of the recommendation was also heard:

> The chairman called on Mr. Ron Stastney, representing the Association of County Superintendents. Mr. Stastney said counties should remain financially respon-

sible for some costs of educational services provided on the local level and the state should be responsible for any administrative services delivered through area service agencies if they are implemented. He said the association is under the impression that the county superintendent will remain an elective office through the next term of that office, ending January 1, 1989. He said the services offered through area service agencies should be as close as possible to the schools and students served. He said the preference of the association is that if the area service agency concept is adopted by the legislature, there should be 20-22 such agencies created throughout the state with at least 5,000 students living in each area (Legislative Council Minutes of the Education "B" Committee Dec. 13-14, 1983, p.17).

After committee discussion and deliberation a bill draft was ordered:

IT WAS MOVED BY SENATOR PETERSON AND SECONDED BY REPRESENTATIVE SWIONTEK THAT COMMITTEE COUNSEL PREPARE A BILL DRAFT IMPLEMENTING AREA SERVICE AGENCIES IN ACCORDANCE WITH DR. HILL'S RECOMMENDATIONS WITH A FOUR-YEAR PHASE-IN PERIOD (Legislative Council Minutes of the Education "B" Committee Dec. 13-14, 1983, p.17).

The following day, December 15, Education "A" Committee also considered the recommendation and discussed the concept:

The chairman called on Dr. Richard Hill, Department of Educational Administration at the University of North Dakota, who made a presentation regarding the use of area service agencies in North Dakota.... Dr. Hill said the interim Education "B" Committee has already requested that a bill draft implementing his proposal for the implementation of area service agencies be prepared by the Legislative Council staff. Dr. Hill said the basic idea is to move the administrative and regulatory functions of county superintendents into area service agencies with an emphasis on providing services for school districts in several counties.

Dr. Hill also described the way area service agencies have been used in different states including Iowa and Minnesota. A document outlining the programs and services provided by area service agencies in Minnesota is on file in the Legislative Council office. Dr. Hill said one of the major benefits from the use of area

service agencies is the pooling of resources. He said very small schools can be provided with services not otherwise available. In summary, Dr. Hill suggested that area service agencies could be made responsible for the delivery of administrative, educational, and special education services.

In response to a question from Representative Unhjem, Dr. Hill agreed that area service agencies in Minnesota and Wisconsin currently have few administrative duties. Dr. Hill said Iowa is an example of a state where more administrative services are delivered through the area service agencies and cited school district reorganization as one example of such a service. Dr. Hill said he foresees North Dakota area service agencies as having more administrative functions than similar agencies in most other states.

In response to a question from Senator Moore, Dr. Hill said that the entire state of Iowa is served by 15 area service agencies. Dr. Hill also suggested that the potential may exist for area service agencies to take over some of the current administrative duties of school district officials.

In response to a question from Representative Sanstead, Dr. Hill said four or five states currently have permissive area service agency participation where school districts voluntarily participate. Dr. Hill said he did not know whether any states have made the transition from permissive area service agencies to a mandatory membership concept (Legislative Council Minutes of the Education "A" Committee Dec. 15, 1983, p.3).

That, at the time of the present writing, is where the matter stood legislatively. The bill draft was to be considered at a joint committee hearing tentatively scheduled in March of 1984.

The concept was being considered by the legislature. Discussion has broadened so that other individuals and groups might become informed about--and might influence the final shape of--the area service agency concept in North Dakota.

REMAINING ISSUES AND QUESTIONS

The domino theory conjures up an image which is well understood: when one domino "drops" it bumps against another domino which bumps against another domino which bumps against another domino.... So it is with a governance modification of the magnitude described herein. Consideration of altering the role of the county superintendent raised other issues and questions. The function of this section was to acknowledge and to identify remaining issues, questions and problems; recognize the provisional nature of conclusions when deliberations were still in progress; and discuss possible activities which might engage, address, or solve the elements identified.

Some of the tentativeness relates to the concept itself. As noted earlier, argument continues regarding the appropriate number of agencies. Other questions--should agencies have taxing authority? should counties contribute to support of agencies? should the state appropriation for support be greater? less?--will be debated in the context of hearings and legislative deliberations. The concept may or may not be much altered by the time it is voted upon.

Some of the questioning relates to the recognition that certain tasks may properly remain at the county levels. For instance, every county superintendent's office contains a wealth of records and reports, many predating statehood. Who will maintain those records? Who will conduct searches for age verification and process requests for historical information? How will one-room rural and graded elementary schools be supervised?

Still other problems of transition can be anticipated. Who would convoke and conduct the initial conventions in newly formed areas? When should area boards be formed? What initial resource would be required by area boards and from whom should it be secured? How might those boards be charged and oriented and who would be responsible for that activity?

Similarly, existing institutions and organizations will have questions of relationship to a new institution. How will existing special education cooperatives be related to an area agency? How will state institutions--School for the Deaf, School for the Blind--be affected by area service agencies? What will be required of local schools in a new relationship?

The writer has proposed that a "transition team" be established by the Department of Public Instruction to identify and address all these, and other, questions. The team would necessarily involve several members from the State Department (DPI). County superintendents would be critical actors in any transition. Representatives from institutions and local schools should be consulted. And, experience in other states might usefully inform the entire process.

The time line proposed--abandon the county superintendency in 1989--is sufficiently long so that the questions and related work can be properly addressed and managed. A couple of examples may suffice to illustrate the potential for resolution of the questions identified (though the "solutions" proposed are not intended to shape or limit final decisions).

Certain archival, advocacy, and human resource functions might appropriately remain at the county level. Who--what re-

maining county offices--should become the custodian for records or responsible for services would require assignment by the legislature.

Certain administrative tasks--like supervision of one-room schools--might be contracted by local school districts similar to the manner in which services of a consultant or a plumber are now purchased. (One county, Billings, contains only elementary districts. High school students are tuitioned to districts outside the county. Instead of a Billings County Superintendent of Schools there may be a need for a Superintendent of Billings County Schools. The name change is subtle but the budgetary change would be considerable: the county would not hire or pay the administrator; local districts would.)

Each question, issue, and problem in turn, would require identification and attention. The recommendation for the establishment of area service agencies admittedly presupposes the capacity and will to identify and solve the problems.

Would something be lost? Certainly something would be lost!

Many, in the opinion of the writer most, of the county superintendents have provided valuable services which transcended the requirements of statute and regulations. While many of those extras may be incorporated into, even enhanced by, the successor organization, contributions by and leadership of certain individuals would be compromised or lost entirely. This is the inevitable business of "trade-offs" implicit in change. Some will believe the costs of the trade-offs are too high.

The current proposal, however, evidences the contrary view that the potential is worth the risk, the trade-offs favor a new

structure, the change should be made.

APPENDICES

APPENDIX A

SECOND DRAFT

12/5/83

Outline of Recommendations to Interim Education Committee B of the North Dakota Legislative Council in the Matter of Consideration of the Creation of Area Service Agencies for Elementary and Secondary Schools

Richard Hill, Professor of Educational Administration
University of North Dakota, Grand Forks, North Dakota

The purpose of this brief paper is to provide an outline of recommendations which were the basis for a discussion activity preceding legislative deliberation. (A "first draft" was reviewed by a group--mostly Department of Public Instruction personnel--on 12/2/83. Several revisions were made.) These amended proposals are intended to form the basis for a subsequent drafting activity if that is the wish of the committee.

Suggestions made by legislators, after initial discussion of the area service agency concept, have been incorporated in the outline. The recommendations, however, proceed beyond those initial suggestions--figuratively, flesh is added to the skeleton. Many of these recommendations are "new" ideas in the sense that they have not been publicly debated (they have not been available).

The proposal suggests:

- Creating "area service agencies" of a "hybrid design (performing state department functions while, at the same time, responding to local districts' needs).
- Mandating membership for all public school districts and inviting another class of membership for private and parochial schools.
- Governing the agencies by nine member boards elected by local school district boards from "membership units" and "at large".
- Financing the agencies by a combination of state appropriations and receipts from contracts with local districts.
- Staffing the agencies with individuals appointed by the governing boards.
- Defining a relationship to the state department and providing a transition mechanism to be administered by the state department.
- Abandoning the county superintendency in the year 1989.

1.0 The county superintendency be abandoned; the area service agency be created.

1.1 All operating public school districts be required to secure service agency membership; all parochial schools be permitted to secure associate service agency membership.

1.2 That three varieties of membership be offered:

a) Public K-12
b) Public, graded elementary or one-room rural
c) Non-public (including BIA and "contract" schools which do not have local boards)
d) Non operating districts will <u>not</u> be members.

2.0 A governing board of nine members be selected. (In the event that more than eight units are created, seven person boards should be considered.)

2.1 Six membership districts in each area service agency be established. (No single school district could embrace more than two "membership districts".)

2.2 Three at-large members be selected.

2.3 Three members be chosen each year for three year terms (two from membership districts, one at-large each year).

2.4 Nominees be made by local boards.

2.5 Elections be conducted among local boards (at-large members elected by all boards in the unit; memberships unit members elected by boards in the membership unit).

3.0 Each agency be organized to provide three service components--administrative services, educational services, and special education services.

3.1 Superintendents of schools, or a representative body thereof, provide advisory direction to the agency director in the general operation of the agency.

3.2 A group of at least nine members (which members shall be approximately equally drawn from among teachers, principals, and lay citizens) be formed to advise the director regarding the operation of the educational service component.

3.3 Other governance and advisory functions shall be determined by the governing board to accord with good practice and comply with existing law and regulation.

4.0 Six to twelve agencies be created. (The specific number and configuration of the agencies should be the subject of a determination process conducted by DPI and recommended to the legislature no later than 1987.)

4.1 Ideally, agency boundaries should be drawn so that 12,000 or more students are served; 10,000 or fewer square miles are incorporated (note: trade-offs may be required here--agencies of slightly smaller geographical size and larger enrollments would be desirable).

4.2 Agency boundaries respect school district, not county, boundaries.

4.3 School districts should be members of only one agency (school districts might, however, arrange to contract with other agencies on a fee for service basis).

5.0 The agency be considered a "school district" except that it shall have no power to tax.

5.1 The agency board appoints the director and approves the director's recommendation for employing other personnel.

5.2 The board convokes local boards at a "convention" in April of each year for the purposes of (a) conducting the nominating activity, (b) evaluating the past years activity, and (c) discussing plans and the proposed budget for the succeeding year.

5.3 The board adopts a budget in May of each year.

5.4 The board conducts an election in May of each year.

5.5 The board submits a budget, an annual plan, and an audit of all financial activity to the state department in June of each year.

6.0 In the matter of financing operations, the board shall have the power to receive and properly steward revenue from several sources.

6.1 The board shall receive state appropriations. (A basic state appropriation will support activity in the administrative and educational service components. Nine dollars per census unit ages 6-17 was an initial estimate of the required state appropriation.)

6.2 The board shall be eligible to receive federal fund "pass throughs" under certain circumstances.

6.3 The board may enter contracts with local districts.

6.4 The board may pursue grants.

6.5 The board may accept gifts; acquire, rent, lease, or lease-purchase and manage property; acquire or lease equipment.

6.6 The board shall appoint a financial officer.

6.7 The board shall ensure the bonding of employees who are responsible for money or property.

6.8 The board shall provide for an annual audit of all (appropriated, contracted, other) funds.

7.0 The board shall provide services in the administrative component.

7.1 The board shall hear and decide appeals (tuition appeals, placement appeals) as specified by statute.

7.2 The board shall hear and recommend to the State Board of Public Schools a course of action in matters relating to reorganization, dissolutions, and annexations of school districts as specified by statute.

7.3 The board shall receive and transmit to the state department the following reports: (a) annual school district financial reports, (b) annual school district personnel reports, (c) annual school district enrollment and average daily membership report, (d) the biennial census report, and (e) such other reports as are required by the Superintendent of the Department of Public Instruction.

7.4 The board shall perform such other activities as are specified and funded by the legislature.

7.5 The board may perform other administrative activities which member schools might request and contract such as preparation of other reports, group purchasing, printing, and machine accounting.

8.0 The board shall provide services in the educational service component which are responsive to the identified needs of the area constituency.

8.1 No less than forty percent (40%) of the basic state appropriation shall be expended for the educational service component; additional resources shall be secured for this component by entering contracts with local districts.

8.2 Educational services shall be designed to address needs in such areas as staff development services, curriculum services, media services, and vocational services to supplement (not supplant) local efforts.

9.0 The board shall provide services in the special education component to supplement the activity of existing local district and cooperative programs.

9.1 The board shall receive and transmit to the state department the following reports: (a) the application for support of local programs, (b) the end-of-year report (for revenue), (c) the annual child count, and (d) such other reports as may be required by the Superintendent of the Department of Public Instruction.

9.2 The board shall arrange the provision of certain "low incidence" services for handicapped children evidencing vision, hearing, multiple, and severe and profound handicaps (the list will be determined by the state director of special education and, depending on local circumstances, the list may not be identical from one service agency to another).

9.3 The board shall coordinate the provision of other special education services in the area.

9.4 The board shall receive a state appropriation specifically for the support of the special education component (that is, in addition to, the "basic appropriation").

9.5 The board shall employ a director of special education.

10.0 The board shall employ individuals appropriately trained and properly certified.

10.1 All county superintendents and all regional coordinators of the department of public instruction shall be "grandfathered" in the matter of eligibility for the directors (administrative) certificate.

10.2 The director shall hold an administrative certificate (in the event that an individual considers himself or herself qualified by reason of equivalent education and experience, that individual may petition the TPPC to consider recommending certification to the Superintendent of Public Instruction).

10.3 The financial officer shall be trained in accounting and financial management (comparable or "equivalent" education and experience should be considered in stating qualifications and making personnel selections).

10.4 The special education director shall hold the special education administrator's certificate.

10.5 In positions later established, certification shall meet standards for local school districts for equivalent positions.

11.0 The State Department of Public Instruction be designated the administrative agency to provide liaison and transition services for the service agency.

11.1 A "liaison-officer" to agencies be appointed by the Superintendent of the Department of Public Instruction (this is not to suggest a new employee...this could be a "portfolio" for an existing position).

11.2 The department shall be responsible for the initial drawing of membership districts (attempting to employ as nearly as possible equal enrollments as the basis for lines, except that no district shall be divided by the lines drawn).

11.3 The department shall be responsible for convoking the initial conventions; conducting the initial nomination and election activities; and initially organizing, electing leadership, and providing charges for the neophyte boards.

11.4 The department shall manage such other details as start up requires--including, in departmental discretion, orientations and training of boards, assistance with selection of the director, and provision of needs-assessment instruments and processes.

MISCELLANY

Should districts be permitted to transfer from one agency to another?

Should "monitoring" activities specified by the state department be incorporated in administrative component duties?

Should there be a formal (legislative?) evaluation periodically?

Should board members be paid for attending meetings?

Should a minimum number of board meetings per year be specified? (6? 12?)

Should minimum number of advisory meetings per year be specified? (1? 2?)

Should the county have a continuing financial obligation to the service agency (2 mills? 1 mill?)?

Should the description of state authority be expanded? Should an "approval process" be specified in 5.5?

How should the residual county functions be engaged?

APPENDIX B

Percentage of North Dakota Superintendents Responding "Probably Would" Be Interested in Various Services Analyzed by School Size

High School Enrollment	to 74	75-149	150-549	550+
ITEM				
Maintaining film and filmstrip library for member districts	63	36	15	11
Managing an A-V equipment repair service for member districts	50	18	38	22
Maintaining supplemental reference book collection for teacher and student use	38	18	31	0
Maintaining a professional library collection for teacher and administrative use	50	27	46	0
Maintaining files for all special students	25	9	0	0
Preparing reports and budgets for school and for cooperatives	0	9	8	0
Planning for low incidence services (vision, occupational therapy, physical therapy)	38	27	23	33
Scheduling itinerant teacher services (e.g. speech therapists, psychological evaluation services)	38	9	8	0
Scheduling speaker and activities for inter-district sessions	100	45	31	33
Arranging for job-alike (2nd grade teachers, math teachers) sessions for inservice	100	45	31	22
Conducting needs assessment to determine staff training needs	50	27	15	22
Evaluating individual teachers and preparing evaluation reports	38	27	8	0
Arranging textbook studies on a periodic and rotating basis (as, every subject every six years)	13	18	31	0
Arranging for consultant help in curriculum studies	38	27	38	33
Identifying resource teachers from staff in the unit to assist other teachers on curriculum questions	38	27	31	33
Testing and reporting results	38	9	23	0

High School Enrollment	to 74	75-149	150-549	550+
Arranging for volume (group) purchase of supplies and equipment	38	45	23	11
Providing for "machine accounting" and financial report preparations	25	36	15	0
Providing negotiations resource (as data collection and display)	38	36	15	0
Providing negotiations service (as spokesperson for board)	13	18	8	0
Arranging special projects or studies for districts (e.g., assess building heat loss, determine friable asbestos use level)	13	18	31	22
Employing and assigning vocational guidance personnel for inter-district use	50	45	8	22
Arranging and staffing inter-district cooperative vocational courses	25	18	8	22
Providing graduate follow-up and placement services	25	18	23	22
Administering a "mobile-classroom" service (change vocational course available each semester)	38	18	0	22
Writing and administering competitive and formula grants	63	45	38	11
Preparing state reports (maintaining data base for report preparation)	13	18	15	0
Developing and maintaining an equipment inventory system for member districts	63	27	15	0
Administering tuition payment and tuition collection activity	13	9	15	0

References

Hill, Richard. Outline of Recommendations to Interim Education Committee B of the North Dakota Legislative Council in the Matter of Consideration of the Creation of Area Service Agencies for Elementary and Secondary Schools. Grand Forks: University of North Dakota, [December 1983].

Hill, Richard and Myers, Elizabeth. The County Superintendency in North Dakota: Analysis and Opinion. Bismarck: North Dakota Department of Public Instruction, [January 1983].

Hill, Richard and Underwood, Mary. A Report to Education Committee B: Probable Use of Area Service Agency Services by Local Schools (Analyzed by Size of School Surveyed). [December 1983].

North Dakota Association of County Superintendents. "A Position Statement of the North Dakota Association of County Superintendents to the Legislative Interim 'B' Committee". n.p., n.d. (Mimeo).

North Dakota Forty-Eighth Legislative Assembly. House Concurrent Resolution No. 3077. 5 April 1983.

North Dakota Legislative Council. Background Memorandum on School District Reorganization, County Superintendent of Schools, Minimum High School Curriculums and Length of School Terms, Duties of Teachers, and the Effect on Students of Extracurricular Activities. Bismarck: The Council, [June 1983].

_____. Minutes of the Education "A" Committee. 15 December 1983.

_____. Minutes of the Education "B" Committee. 29 June 1983.

_____. Minutes of the Education "B" Committee. 3-4 October 1983.

_____. Minutes of the Education "B" Committee. 13-14 December 1983.

Northern Trails Area Education Agency. (information brochure). Clear Lake, Iowa: the Agency, n.d.

Office of Planning and Policy Research. Minnesota Educational Cooperative Service Units 1982-83. St. Paul: Minnesota Department of Education, 1982.

"Ongstad Ends 36 Years as County Superintendent." (Wells County, Fessenden) Herald Press, 12 May 1982, p.5B.

Sher, Jonathan P. (ed). Education in Rural America: A Reassessment of Conventional Wisdom. Boulder, Colorado: Westview Press, 1977.

Stephens, E. Robert. Regional Education Service Agencies. Arlington, Virginia: Educational Research Service, Inc., 1975.

Stephens, E. Robert; Bensimon, Grace A.; McAdoo, Tony P.; and Gividen, Noble J. Education Service Agencies: Status and Trends. ESA Study Series/Report No. I. Burtonsville, Maryland: Stephens Associates, 1979. (Report funded by National Institute of Education Grant #EO-G-72-4449.)

Stephens, E. Robert; Bensimon, Grace A.; McAdoo, Tony P.; and Gividen, Noble J. Major Policy Issues Surrounding the Education Service Agency Movement and a Proposed Research and Development Agenda. ESA Study Series/Report No. VII. Burtonsville, Maryland: Stephens Associates, 1979. (Report funded by National Institute of Education Grant #EO-G-72-4449.)